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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/525,885	03/15/2000	Michael L. Nuccio	4300.012700	9507
23720	7590	06/03/2005		
WILLIAMS, MORGAN & AMERSON, P.C. 10333 RICHMOND, SUITE 1100 HOUSTON, TX 77042			EXAMINER MCELWAIN, ELIZABETH F	
			ART UNIT	PAPER NUMBER
			1638	
DATE MAILED: 06/03/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1638

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark Moore on October 8, 2004.

The application has been amended as follows:

Claims 77-83 are cancelled.

In claims 1, 12, 13 and 99, in the third line, --having—has been inserted before “at least about”.

In claim 104, the following have been deleted:

“(i)”

“(ii)”, and

“(iii) the virus of claim 39, or (iv) the host cell of claim 40”

In claim 104, the second line, --or—has been inserted after claim 1.

The following claim is added:

Claim 105 (new) A kit comprising, in suitable container means, (a) the virus of claim 39 or the host cell of claim 40; and (b) instructions for using said kit.

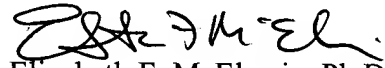
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Please note that the claims will be renumbered in order for publication. The claims will not be renumbered as presented by applicant in the "Reorganized and Renumbered Claims" attached to the faxed amendment of October 8, 2004.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth F. McElwain whose telephone number is (571) 272-0802. The examiner can normally be reached on increased flex time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson can be reached on (571) 272-0804. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Elizabeth F. McElwain, Ph.D.  
Primary Examiner  
Art Unit 1638

EFM